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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

) Examiner: Michael F. Peffley
)
) Group Art Unit: 3736
)

For: **TISSUE SPECIMEN ISOLATING AND
DAMAGING DEVICE AND METHOD**

Serial No.: 10/756,178

TRANSMITTAL

Filed: January 13, 2004

Atty. Docket No.: R0367-00702

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this paper is being deposited in the U.S. Postal Service as first class mail with sufficient postage addressed to Mail Stop
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 6/20/2006, in San Francisco, CA.

By: [Signature]

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application are the following:

- X Information Disclosure Statement;
- X International Search Report mailed 3/21/2006;
- X Form PTO-1449 and copies of 3 cited references; and
- X Return receipt postcard.

2. Payment of Fees

- X Applicants believe that there is no fee due in this communication. Should the Commissioner find otherwise, the Commissioner is authorized to charge the fees due and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00702. **A duplicate copy of this transmittal is enclosed for this purpose.**

Respectfully,

By: [Signature]
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) **INFORMATION DISCLOSURE**
) **STATEMENT**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to bring to the attention of the Patent Office the reference listed on the attached PTO-1449 form and request that they be considered by the Examiner. Each item of information contained in the Information Disclosure Statement was cited in an International Search Report from a foreign patent office on a related foreign application not more than three months prior to the filing of this Statement. A copy of the International Search Report and foreign patent documents listed in the attached are enclosed herewith.

Applicants believe that there is no fee due. Should the Commissioner find otherwise, the Commissioner is authorized to charge the fees due and to credit any overpayment set forth under 37 C.F.R. §1.16 and §1.17 to Deposit Account No. 04-1679, referencing Atty. Docket No. R0367-00702.

Respectfully submitted,

By: [Signature]

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §1.56, §1.97, and §1.98

PTO-1449 FORM

SHEET 1 OF 1

ATTORNEY DOCKET NO.:

R0367-00702

SERIAL NO.:

10/756,178

APPLICANTS:

Burbank et al.

EXAMINER

Michael F. Peffley

FILING DATE:

January 13, 2004

GROUP ART UNIT:

3736

U.S. PATENT DOCUMENTS

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	NAME	U.S. CLASS/ SUBCLASS	FILING DATE (If appropriate)
	A160	3,945,375	3/76	Banko et al.		
	A161	5,595,185	1/97	Erlich et al.		
	A162	5,980,469	11/99	Burbank et al.		
	A163	6,540,695	1/03	Burbank et al.		
	A164	2003/0004407	1/03	Carroll et al.		

FOREIGN PATENT DOCUMENTS

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	COUNTRY	TRANSLATION (YES/NO)	
	B33	EP 0 970 658	1/01	EPO		
	B34	WO 02/22023	3/02	WIPO		
	B35	WO 2005/063126	7/05	WIPO		

OTHER DOCUMENTS

† EX'R INITIAL	*REF. #	Document Description (including Author, Title, Date, Pertinent Pages, Etc.)
	31	International Search Report for PCT/US2005/027071 mailed March 21, 2006.

EXAMINER'S SIGNATURE

DATE CONSIDERED

† EXAMINER:

Initial if reference is considered, whether or not citation is in conformance with MPEP 609.
Line through citation if not in conformance and not considered.
Include copy of this form in next communication to applicant.

* If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. 1.98(d).